DOCUMENT RESUME

ED 482 999 RC 024 089

TITLE	BIA Special Education Coordinated Services Plan.
INSTITUTION	Bureau of Indian Affairs (Dept. of Interior), Washington, DC. Office of Indian Education Programs.
PUB DATE	2002-06-30
NOTE	57p.
PUB TYPE	Reports - Evaluative (142)
EDRS PRICE	EDRS Price MF01/PC03 Plus Postage.
DESCRIPTORS	*Agency Cooperation; *American Indian Education; Early Childhood Education; *Educational Needs; Elementary Secondary Education; Federal Indian Relationship; Higher Education; Indigenous Personnel; *Reservation American Indians; *Special Education; Tribally Controlled Education
IDENTIFIERS	*Bureau of Indian Affairs Schools; Individuals with Disabilities Educ Act Amend 1997; *Office of Indian Education Programs

ABSTRACT

Provisions in the Individuals with Disabilities Education Act (IDEA) Amendments of 1997 called for improved collaboration and coordination among tribal, federal, state, and local agencies in providing special education and related services to Indian children with disabilities. To meet these requirements, input was elicited from public meetings, a steering committee composed of relevant stakeholders, a Bureau of Indian Affairs (BIA) Special Education Advisory Board, surveys of BIA staff, a focus group of stakeholders, a roundtable discussion at the National Indian Education Association's legislative summit, and 10 tribal consultation meetings. Findings and recommendations focused on: (1) developing strategies to ensure that students in BIA-funded schools are not inappropriately referred to special education; (2) engaging national Indian education organizations and the Council for Exceptional Children in support of full funding of early childhood intervention programs for at-risk children, full funding of IDEA, and increased funding for research, preparation of American Indian personnel, technical assistance, and other supports to institutions of higher education (especially tribal colleges and universities), BIA education personnel and parents; (3) establishing agreements with other federal agencies to collect data on student postsecondary employment and education in order to ensure greater accountability for post-school results and facilitate transition planning for special education students; and (4) encouraging agreements among federal, state, and tribal agencies with authority over alternative education services or coordinated services for Indian children with disabilities. Appendices present an inventory of agencies and service providers and sample memoranda of agreements. (TD)

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BIA SPECIAL EDUCATION

COORDINATED SERVICES PLAN

Bureau of Indian Affairs
Office of Indian Education Programs
Center for School Improvement

June 30, 2002

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BIA SPECIAL EDUCATION
COORDINATED SERVICES PLAN

I. INTRODUCTION

A. Congressional Mandate

The impetus for development of this *BIA Special Education Coordinated Services Plan* is the Congressional mandate established in Public Law 105-17, the Individuals with Disabilities Education Act (IDEA) Amendments of 1997. The concept of better coordination of services between federal agencies having responsibility for meeting the needs of Indian children with disabilities as well as other service providers is noted in three specific references in the IDEA Amendments.

First, Section 611(i)(2)(E) called for an "assurance" that the Department of Interior (DOI) and the Department of Health and Human Services (DHHS) enter into an agreement for the "coordination of services, resources, and personnel between their respective Federal, State and local offices and with State and local education agencies and other entities to facilitate the provision of services to Indian children with disabilities residing on or near reservations." Subsection (E) also specifies that such agreement shall provide for apportionment between the Departments' respective agencies – namely, the Bureau of Indian Affairs' Office of Indian Education Programs (OIEP) and the Indian Health Service (IHS) – of responsibilities and costs "including, but not limited to, child find, evaluation, diagnosis, remediation or therapeutic measures, and (where appropriate) equipment and medical or personal supplies as needed for a child to remain in school . . .." Furthermore, subsection (F) provides for the assurance that DOI "will cooperate with the Department of Education in its exercise of monitoring and oversight . . . and any agreements entered into between [DOI] and other entities . . .."

Secondly, in order to provide guidance on the coordination of services, Section 611 (i)(4) of the IDEA Amendments directed DOI – and subsequently, OIEP – to develop and implement a Plan for the Coordination of Services:

> ". . . Such plan shall provide for the coordination of services benefitting these children from whatever source, including tribes, the Indian Health Service, other BIA divisions, and other Federal agencies. In developing the plan, [OIEP] shall consult with all interested and involved parties. It shall be based on the needs of the children and the system best suited for meeting those needs, and may involve the establishment of cooperative agreements between the BIA, other Federal agencies, and other entities. The plan shall also be distributed upon request to States, State and local educational agencies, and other agencies providing services to infants, toddlers, and children with disabilities, to tribes, and to other interested parties."

And thirdly, Section 611 (i) (5) called for the establishment of an Advisory Board "composed of individuals involved in or concerned with the education of and provision of services to Indian infants, toddlers, children, and youth with disabilities . . .." This body, the BIA Advisory Board for Exceptional Children (ABEC), was vested with responsibility for providing advice and

recommendations to the BIA/OIEP staff through the Lead Education Specialist for BIA Special Education. Specifically, the IDEA Amendments direct the BIA Advisory Board for Exceptional Children to, among other tasks:

- assist in the coordination of services within the BIA and with other local, State, and federal agencies in the provision of education for infants, toddlers, and children with disabilities;
- develop and recommend policies concerning effective inter- and intra-agency collaboration, including modifications to regulations, and the elimination of barriers to inter- and intra-agency programs and activities; and
- provide assistance and disseminate information on best practices, effective program coordination strategies, and recommendations for improved educational programming for Indian infants, toddlers, and children with disabilities.

Thus, the call for BIA to institute a plan for improved collaboration and coordination of services among tribal, Federal, State, and local agencies in providing special education and related services to Indian children with disabilities is thoroughly grounded in federal legislation.

B. Activities to Date

In September 2000, in response to areas of improvement indicated in OSEP's April 2000 official monitoring report, as part of our long-range planning, OIEP developed a Special Education Continuous Improvement Plan for the period from July 1, 2000 to June 30, 2001. In addition to input elicited through several public meetings, the drafting of the plan utilized a steering committee of parents, teachers, and administrators from local BIA schools as well as a Core Steering Committee comprised of OIEP staff, Agency/Area Education Line Officers and Special Education Coordinators, SEAB representatives, tribal representatives, OSEP staff, and a representative from the Mountain Plains Regional Resource Center. The OIEP Special Education Advisory Board also played a role in this endeavor to address the OSEP monitoring report findings of "systemic deficiencies and areas of potential non-compliance" within special education programs at BIA funded schools. SEAB identified, as priorities, four specific areas in need of improvement – cited in the OSEP report – and established committees to address them.

BIA and IHS have drafted a Memorandum of Agreement to coordinate services, resources and personnel to meet the legislated mandate in the Individuals with Disabilities Education Act (IDEA) Amendments of 1997. The intent of this national interagency agreement is to establish collaboration between the IHS and the BIA that will promote local IHS/BIA interagency agreements to improve the delivery of appropriate services for Indian children with disabilities. According to the draft agreement, "the IHS and BIA will coordinate linkage activities where there exists an overlap in eligible population, services, and activities that shall enable an Indian child to participate successfully in school or programs." The agreement puts forth a series of mutual(for both IHS and BIA) objectives that include: (1) insuring that local counterparts develop and implement interagency collaborative activities to address IDEA, (2) working toward the prevention of duplication of effort, (3) ensuring that services are cost effective and make maximum use of all available Federal, State and local resources, (4) coordinating training activities addressing state-of-the-art practices and new Federal requirements and procedures, (5) and supporting participation in and representation on the State's Interagency Coordinating Council, local child protection teams, and other local or regional interagency coordinating councils. The agreement also lays out specific agency responsibilities for the BIA and IHS.

C. Description of Consultation Process

In January 2002, OIEP contracted with two consultant organizations to provide technical assistance to OIEP's Center for School Improvement to meet the legal requirements under IDEA in developing a Coordinated Services Plan. It has been the intent of the two consulting organizations to elicit, as much as possible, the input of a wide variety of special education stakeholders into the development of the plan. To that regard, the following activities have occurred or will occur imminently:

- On February 21, in coordination with OIEP, one of the consultant organizations met with BIA Special Education Coordinators (SECs) to elicit their survey responses to identify (a) all agencies/organizations with which SECs are currently coordinating services; (b) all local, State and regional committees with which SECs have formal relationships in providing special education services, and (c) specific formal agreements – i.e., MOUs/MOAs – currently utilized to facilitate coordination of services among service providers or resources.
- On March 6, Dr. Sherry Allison (OIEP) presented to a meeting of BIA Education Line Officers the same request for responding to the survey issues listed above.
- On March 8, OIEP conducted a Special Education Focus Group, facilitated by one of the consultant organizations, in order to elicit information regarding (a) where are there current gaps in special education services being provided to Indian children with disabilities; (b) what gaps exist in coordination of services among service providers, potential and current coordinating agencies, and BIA and tribal personnel responsible for provision of special education and related services; (c) what current and potential mechanisms – formal and informal – can and should be put into place to implement, improve or expand coordination of services; and (d) what are needs among service providers, coordinating agencies, and other special education stakeholders that should be addressed in order to improve services to Indian children with disabilities. The 19 Focus Group participants included representatives of Tribes and tribal education programs, tribal vocational rehabilitation programs, parent advocacy organizations (EPICS), BIA funded schools staff responsible for special education needs, SECs, tribal/local agencies responsible for child find activities, BIA and tribal social services and mental health programs, and university affiliated entities (Center for Development and Disabilities). Also participating as resource persons were four OIEP special education-related staff, including the Supervisory Education Specialist responsible for addressing BIA special education needs and services.
- On March 24, OIEP staff participated in a Roundtable Discussion on Disability Education issues at the National Indian Education Association's Legislative Summit in Washington, DC. Among other things, OIEP staff discussed the draft Coordinated Services Plan and encouraged tribal representatives to review and comment on the draft plan during the upcoming Tribal Consultation process. Furthermore, participants provided comments on (a) what they perceived as gaps in current BIA special education and related services, and (b) how those gaps could be rectified through improved coordination among relevant agencies.
- From June 17-20, a series of 10 Tribal Consultation Meetings[1] were conducted by BIA staff. The Coordinated Services Plan was one of three items presented for discussion. There were approximately 446 persons in attendance, representing approximately 70 individual tribes.

[1] These were held in Mesa and Window Rock, AZ; San Diego, CA; New Orleans, LA; Minneapolis, MN; Billings, MT; Albuquerque, NM; Oklahoma City, OK; Portland, OR; and Rapid City, SD.

In summary, there was considerable input gained from a broad array of BIA special education stakeholders, including tribal representatives. The issues and concerns raised — and recommendations made — during the consultation process have been integrated into the needs analysis conducted in the development of this Coordinated Services Plan as well as the specific strategies for coordination identified in the Plan.

D. Description of Special Education Needs Assessment (Methodology)

A variety of documents[2] were reviewed to develop a description of special education and related needs of Indian students with disabilities and programmatic needs of BIA special education providers at BIA funded schools. A descriptive analysis was conducted on quantitative data and a statistical table developed to note patterns of disabilities occurring among BIA students at various grade levels, i.e., kindergarten, elementary school, junior/senior high school. A content analysis was performed on qualitative data, such as BIA Monitoring Team Reports, in order to characterize areas of programmatic needs. Additionally, substantive data from the Focus Group and somewhat more limited data from the Tribal Consultation Meetings have been summarized and incorporated. The needs assessment findings are discussed in Section II of this plan, starting on the next page.

E. Description of Dissemination/Comment Process

As noted in Section 611(i)(4), this Coordinated Services Plan is "to be distributed upon request to States, State and local educational agencies, and other agencies providing services to infants, toddlers, and children with disabilities, to tribes, and to other interested parties." As it has done during the consultation process, OIEP will make every effort to disseminate this document, upon request, to any BIA Special Education stakeholders. Furthermore, as indicated in the Coordinated Services Action Plan (described in Section IV of this document), a BIA Special Education Interagency Coordinating Council (SEICC) will be established, consisting of relevant BIA special education stakeholders, including other federal programs; the responsibility of the SEICC will be to review the Coordinated Services Plan, make further recommendations for its implementation, and oversee the implementation process.

F. Purpose of Coordinated Services Plan

The purpose of the Coordinated Services Plan is to provide guidance to OIEP staff, at the national and agency/area levels, as well as BIA funded schools, on how to better serve Indian children with disabilities through the coordination of services among identified current and needed potential service providers. In order to do so, the Coordinated Services Plan provides an (a) overview of the needs of Indian children with disabilities that are enrolled in BIA funded schools; (b) current programmatic shortcomings — in 38 "noncompliance"schools — in the provision of special education and related services to Indian children; (c) a Model for Coordinated Services Planning for special education and related services, including an index of agencies and service providers with

[2] These documents included "Report of Children With Disabilities Receiving Special Education - 2001," BIA/OIEP; the draft "Annual Report of the Office of Indian Education Programs Special Education Advisory Board," OIEP staff summaries (i.e., areas of strengths, needs improvement, and non-compliance) of Monitoring Team Reports for 38 schools, OIEP's summary of Top Ten Non-Compliance areas.

whom OIEP should coordinate in meeting student and programmatic needs; (d) guidelines for developing MOU/MOA coordination strategies to improve transition services with early childhood programs — including Head Start — and Tribal/State vocational rehabilitation programs; and (e) sample MOUs/MOAs developed between one BIA Agency and several service providers to serve as models for other agencies/area offices and/or local LEA.

II. BIA SPECIAL EDUCATION NEEDS

A. Indian Special Education Students in BIA schools

There are a significant number of children identified to be in need of an Individual Education Program, i.e., receiving special education services. The *median percentage* of all students that are identified as special education students varied considerably across BIA agencies, ranging from 11% to 52%. The overall percentage of students placed in BIA Special Education is 22% — ranging by school from 8% to 70% of all students — compared to the general population percentage of 9% nationally for the 1998-99 school year.

The numbers and percentages of Indian students with disabilities currently receiving special education in BIA schools are shown in the Table below.

Children With Disabilities Receiving Special Education in BIA Schools December 3, 2001[3]

Disability	Number/Percentage of Children by Disability and Age at Data Collection						Totals by Disability Category	
	Age 5 (Grade K)		Ages 6-11 (Grades 1-6)		Ages 12-21 (Grades 7-12)		All Children Ages 5-21	
Mental Retardation	5	1.9%	200	4.8%	292	7.1%	497	5.8%
Hearing Impairments	2	0.8%	21	0.5%	21	0.5%	44	0.5%
Speech/Language Impairments	181	68.0%	1010	24.2%	187	4.5%	1378	16.1%
Visual Impairments	0	0	16	0.4%	10	0.2%	26	0.3%
Emotional Disturbance	1	0.4%	205	4.9%	407	9.9%	613	7.2%
Orthopedic Impairments	0	0	13	0.3%	7	0.2%	20	0.2%
Other Health Impairments	4	1.5%	123	2.9%	63	1.5%	190	2.2%
Specific Learning Disabilities	14	5.3%	2241	53.6%	2991	72.5%	5246	61.2%
Deaf-Blindness	1	0.4%	2	0.05%	2	0.05%	5	0.05%
Multiple Disabilities	7	2.6%	150	3.6%	134	3.2%	291	3.4%

[3] "Report of Children With Disabilities Receiving Special Education - 2001," BIA/OIEP

Autism	0	0	13	0.3%	5	0.1%	18	0.2%
Traumatic Brain Injury	0	0	5	0.1%	8	0.2%	13	0.2%
Developmental Delay	51	19.2%	179*	4.3%			230*	2.7%
	266	100%	4178	100%	4127	100%	8571	100%

* through 9 years of age

As noted in the Table above, among students 5 years of age, the overwhelming majority (68%) of students were diagnosed as having speech or language impairments; the next largest number (19.2%) of students are identified as experiencing developmental delays. Specific learning disabilities account for only 5.3% of students, five years of age, in BIA schools.

However, when **all** BIA special education students are considered, the majority (61%) of students were diagnosed as having "specific learning disabilities." The term *learning disabilities* includes specific conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. The term does not include children with needs that are primarily the result of cognitive impairment; emotional disturbance; visual, hearing or motor disabilities; or environmental, cultural or economic disadvantage. The BIA data used in the needs assessment did not report the types of specific learning disabilities (as identified in the above definition) nor the numbers of students with each type of learning disability.

Speech and language impairments persists as a major category of disability for students 6-11 years of age, accounting for the second largest grouping (24.2%) of elementary school-age students. This disability category accounts for only 4.5% of students 12-21 years of age. Among all age groups, speech and language impairments account for 16.1% of all BIA special education students

Conversely, the numbers and percentages of students with emotional disturbances more than doubles from ages 6-11 (200 or 4.8%) to ages 12-21 (407 or 9.9%). Similarly, the numbers of students with mental retardation grows substantially from 200 (4.8%) to 292 (7.1%) when these same age groups are compared.

[Note: OIEP is conducting an assessment of needs of Indian children with disabilities, ages 0-5. According to the BIA December 2001 Child Count, there are 4,947 infants and toddlers (i.e., ages 0-2) being served under Part C of IDEA, and an additional 6,500 children ages 3-5 being served under Part B. This would account for a total of 11,447 Indian children ages birth through 5. The services for those children served through IDEA Part C are provided by 63 tribes which administer Infant and Toddler programs. Services for those ages are not addressed in this Coordinated Services Plan.]

B. Programmatic Needs of Local Special Education Programs

In addition to the statistical information related to specific disabilities of Indian students being served by BIA-funded schools, programmatic needs — needed improvements and areas of non-compliance — related to coordinated services have been identified.

From a review of OIEP Monitoring Reports garnered from team visits made to 38 BIA-funded schools in SY's 2000-01 and 2001-02, OIEP staff identified the following special education programmatic areas as the "Top Ten Non-Compliance" areas:

- Content of IEP
- IEP Team
- Development, review and revision of IEP
- Evaluation procedures
- Parent participation
- Extended School Year services
- Improvement strategies
- Prior notice by the public agency (e.g., content of notice)
- IEP Meetings
- Determination of needed evaluation data

A separate review was conducted of OIEP staff's summaries of Monitoring Reports of the 38 schools and Area Line Offices visited in the 2000-02 period. A content analysis was conducted of significant findings related to needed improvements and areas of non-compliance identified in the summaries. The content analysis identified the following programmatic needs among LEA special education programs. Furthermore, Focus Group-generated comments related to specific gaps in Special Education services or needs for improved coordination were also reviewed to support the claim that this was indeed a need area. [Note: These are not organized in any particular rank order.]

Below and on the following pages are described the programmatic needs among LEA special education programs related to necessary collaboration and coordination of services among BIA schools and other agencies. Please note that these programmatic needs are based primarily on data from those 38 schools categorized in the OIEP Monitoring Process as "in need of improvement" or "in non-compliance." These programmatic needs do not reflect conditions among the vast majority of BIA schools, although some programmatic needs may exist at other BIA schools. However, where corroborating data from other sources — such as Focus Group or Tribal consultation meeting participants — those findings are also noted.

(1) Disproportionate Placement of Indian Students in Special Education

Concern was expressed that there were disproportionate numbers of Indian children being placed in Special Education. Certainly, the fact that the overall percentage of students placed in BIA Special Education ranged from 8% to 70% across BIA schools (averaging 22% for all BIA schools), compared to the national rate of 9% is indicative of the need to provide more training and technical assistance to local schools in making appropriate referrals, evaluations and assessments. Of particular concern was that cultural and language issues – such as Limited English Proficiency – among Indian children were being misinterpreted in the referral and evaluation process.

(2) Strengthen Special Education Evaluation Process/Procedures

The content analysis of the Monitoring Report summaries noted several specific issues related to the evaluation – entitlement process for special education entitlement team decisions. Among these

were issues that dealt with who and what is involved. For example, among needs mentioned were: (a) the lack of parental involvement in the evaluation/reevaluation process; (b) the importance of ensuring – i..e., exhibiting evidence – that cultural and language considerations were used in the evaluation process; (c) that assessment information and data was gathered from a variety of sources rather than just one evaluator or data source, and (d) the importance of health services personnel being available on site, to conduct required vision/hearing screening for Child Find and eligibility/entitlement decisions.

(3) Improve Child Find Procedures

The content analysis of the Monitoring Reports indicated that child find activities were inadequate at many BIA schools. The need for stepping up child find activities was indicated at both ends of the education pipeline — i.e., those students transitioning in from early childhood programs (e.g., Head Start) as well as students transitioning out from school (e.g., drop outs). Recommendations included (a) streamlining current interagency collaboration, and (b) increasing child find activities through involving additional community entities such as tribal, county and state agencies. Other suggestions called for increasing the number of ongoing child find activities conducted throughout the school year, again for younger children as well as students who have dropped out of school. Recommendations for improving coordination of services locally called for entering into (1) interagency agreements with Head Start and other Early Childhood programs either at the tribal, intertribal or agency levels, (2) better coordination among FACE staff and special education program staff within a school.

(4) Improve Procedures for Assuring Parental Rights Regarding FAPE

Parental involvement in developing and monitoring the IEP is critical to ensuring that quality special education and related services are provided as part of an Indian student with disabilities right to a Free and Appropriate Public Education. The analysis of Monitoring Reports and Focus Group data indicated that many parents of Indian students are not fully involved in student evaluation, IEP development, implementation and monitoring due to a variety of factors. Furthermore, many parents of Indian students lack of knowledge of their rights.

(5) Improve IEP Development, Implementation and Monitoring

OIEP staffs top two areas of non-compliance – namely, the content of the IEP and the IEP team – also arose as areas of concern in the review of other data. The data reviewed support the need to link with appropriate service providers in the development, implementation and monitoring of IEPs.

Furthermore, concern was expressed that there be more clarification between related service providers and the school (LEA). Areas of clarification include (a) respective roles and responsibilities; and (b) timelines for completing evaluations, provision of services, reporting and accountability.

(6) Institute Appropriate Mechanisms in Addressing Emotional and Behavioral Needs of Indian Students with Disabilities

The data reviewed indicated an increasing need for meeting the social, emotional, and behavioral needs of Indian students with disabilities in a comprehensive and collaborative manner. Appropriate strategies for meeting these needs will necessitate establishing or improving linkages with outside agencies such as mental health, social services, and law enforcement entities.

(7) Ensure the Provision of a Continuum of Services

The content analysis of the Monitoring Reports revealed the need for a full continuum of services to be offered to Indian students with special needs and that all services are described in the IEP. This concern was reiterated in another way as the need for BIA Special Education programs to ensure that contracts with related-services providers are sufficient to provide all of the services as outlined in the student's IEP throughout the entire school year and extended school year, if appropriate. Also noted, at several schools, was the need for increased time to be made available for related services personnel (e.g., speech therapists, occupational or physical therapists) as well as better scheduling of related services according to the student's needs. Furthermore, tribal representatives at the Minneapolis Tribal Consultation Meeting noted their difficulty in accessing adequate services for students with high service needs transferring into their local BIA schools; they also noted that it was difficult to find, in a timely manner, funding for the range of services needed by these students.

(8) Assure the Provision of FAPE for all Students with Disabilities

The concern was raised that Indian students with disabilities who were in the criminal justice system were not being served. Accordingly, better coordination with local law enforcement and Tribal Court systems was seen as a need. This need extended to better coordination with other community resources – e.g., mental health and social services agencies, employment agencies, and Tribal education programs.

(9) Improve Planning and Provision of Transitional Services

The need for better planning and provision of transitional services was identified through various data sources. Improved transition services relates to better coordination among service providers and agencies. Several Monitoring Reports noted that there needed to be enhanced support services and outside agency involvement at IEP meetings for addressing transition needs and services, especially for secondary students with severe disabilities.

(10) Provide Training on Meeting Special Education Needs

Training is an important tool for addressing many of the needs identified both in the Monitoring Reports and by Focus Group participants. As identified by the data review and analysis, for parents, the training areas of most need are (a) procedural safeguards, and monitoring their child's progress with IEP goals; and (b) identification of the local services available to meet the needs of special education students.

In the Focus Group, participants expressed concern about the need for finding ways to address teacher and paraprofessional training in rural areas where it is difficult to access higher education opportunities. Distance learning technologies – especially as currently being implemented by several tribal colleges and universities – were mentioned as a potential strategy that needed more consideration.

(11) Meet the Need for more Special Education Teachers

Among all needs data sources reviewed, the need for more Special Education teachers, especially Native teachers, was expressed. Focus Group participants also expressed concern that more stringent requirements for highly qualified teachers and paraprofessionals of the recently passed "No Child Left Behind" legislation present new challenges. BIA cannot hire new teachers and paraprofessionals unless they meet the following standards:

- teachers must be certified by the State, hold at least a bachelor's degree and pass a State test on subject matter knowledge and teaching skills; and
- paraprofessionals must complete two years of study at an institution of higher education and obtain an associate's degree or meet a standard of quality and demonstrate this standard through a formal or local assessment.

Thus, the need to improve opportunities for meeting these additional requirements should be addressed in the Coordinated Services Plan. Several tribal college Teacher Education programs (e.g., Turtle Mountain College and Sinte Gleska University) are potential resources for meeting this need, as well as several programs involving tribal college and mainstream university partnerships (e.g., Diné College and Arizona State University).

Summary. The preceding discussion of programmatic needs of local special education programs and service providers is based on data from OIEP Monitoring Reports, field surveys, and Focus Group and Tribal Consultation Meeting participants. This discussion is provided to give readers of this Coordinated Services Plan a more detailed description of the range of programmatic needs that should be addressed through implementation of or improvements in coordination of services. It should be noted that these programmatic needs or shortcomings are not necessarily representative of the majority of BIA schools.

C. Rationale for Improved Coordinated Services to Address Special Education Needs

This Coordinated Services Plan for BIA Special Education includes various strategies for coordinating services among BIA-funded schools and other agencies to better meet the needs of Indian students with disabilities (as discussed in the previous pages). These strategies can be implemented at either or all of three levels within the BIA educational system. These levels are at (1) the national or OIEP-level, (2) the Agency/Area Office-level, and (3) the local or LEA-level. Coordinated Services Plan strategies appropriate to each level are briefly summarized below (and discussed further in the next sections of this document).

(1) Disproportionate Placement of Indian Students in Special Education

Strategy: Establish and implement a BIA Special Education Interagency Coordinating Council (SEICC) to review current referral and assessment practices among BIA schools, especially those with high proportions of special education placements, and make recommendations for improving identification and placement decision-making. Linkages with professional organizations such as the Council for Exceptional Children's Division for Culturally and Linguistically Diverse Exceptional Learners are also

recommended. This division's efforts have been targeted in the area of disproportionate identification of culturally and linguistically diverse exceptional learners.

Identify model practices among BIA-funded schools that have low or more proportionate rates of special education students, and share this information with other BIA schools. Such practices include the collection and analysis of demographic information (including health. language and cultural data) that may have an impact on the disproportionate identification and placement of Indian children in special education.

(2) Strengthen Special Education Evaluation Process and Procedures

Strategy: Provide training by OIEP staff and Special Education Coordinators to local BIA-funded schools. Coordinate training available from various sources, including the Mountain Plains Regional Resource Center and the Administration for Children and Families (ACF). Training and guidance by OIEP and technical assistance documents would focus on involvement of parents, best practices in child find and screening, and culture and language implications in the process.

(3) Improve Child Find Procedures

Strategy: Have local early childhood programs (including Head Start) and BIA schools develop interagency agreements for improving and coordinating Child Find/Screening activities (see "Sample Goals and Tasks for Coordinated Services Between Head Start Programs and LEAS" in Section VI of this document). Furthermore, BIA can utilize the Inventory of Coordinating Agencies and Service Providers (Appendix A of this document) as the basis for addressing the OSEP concern that a list of agencies participating in the planning and implementation of local Child Find activities be developed.

(4) Improve Procedures for Assuring Parental Rights Regarding FAPE

Strategy: Provide training by Parent Resource Centers to BIA schools and local Head Start and other Early Childhood programs on best practices for assuring parental rights (see Section IV — OIEP-level Coordinated Services Action Plan). Ensure that local interagency agreements for coordinated services include proper procedures for assuring parental rights (see "Sample Goals and Tasks for Coordinated Services Between Head Start Programs and LEAS" in Section VI of this document). Furthermore, OIEP should facilitate the development of culturally congruent materials in Native languages, and partner with tribal colleges and parent centers in this endeavor.

(5) Improve IEP Development, Implementation and Monitoring

Strategy: Provide training by OIEP and Special Education Coordinators to BIA-funded schools regarding the importance and involvement of related services providers in all appropriate

aspects of the IEP. Ensure that local interagency agreements for coordinated services include proper procedures for IEP development, meetings and provision of services (see Section VI and Appendix B of this document).

(6) Institute Appropriate Coordination Mechanisms for Addressing the Emotional and Behavioral Needs of Students with Disabilities

Strategy: Develop interagency agreements and other collaborative arrangements with Tribal mental health and social services programs, law enforcement agencies, and other coordinating entities as appropriate to meet the IEP needs of Indian students with disabilities.

(7) Ensure the Provision of a Continuum of Services

Strategy: Coordinate with national Indian Education organizations and the Council for Exceptional Children to assist in assuring that funding allocations for BIA, Head Start and other related agencies include adequate funding resources (see Section IV — OIEP Coordinated Services Action Plan — and Section VII). Link with Tribal, State and local providers to ensure that services are provided.

(8) Assure the Provision of FAPE for All Students

Strategy: Develop interagency agreements and collaborative arrangements with Tribal law enforcement agencies, Tribal Courts, and other appropriate entities (e.g., Tribal Departments of Education) to ensure FAPE for incarcerated youth with disabilities.

(9) Improve Planning and Provision of Transitional Services

Strategy: Ensure that BIA-funded schools develop local interagency agreements for improving transition services with appropriate agencies involved with transition services for students at all transition points — i.e., Part C to Part B services, preschool services to kindergarten, middle school to high school, and high school to adult living (also see Section VI of this document). It should be noted that BIA has revised its Special Education Eligibility Document to ensure that the regulatory requirements related to IDEA Section 300.348 (i.e., Agency responsibilities for transition services) are being met.

(11) Provide Training on Meeting Special Education Needs

Strategy: Coordinate with other federal agencies (including ACF), regional education organizations (e.g., MPRRC and regional labs), parent resource centers, and national Indian education organizations to provide a range of training on best practices in special

education and related services to all appropriate staff, service providers and parents (see Section IV — OIEP Coordinated Services Action Plan).

(12) Meet the Need for More Special Education Teachers

Strategy: Coordinate with tribal colleges and universities and other institutions of higher education which provide teacher training to ensure that adequate attention is devoted to preparation, recruitment and retention of American Indian teachers and related services providers within BIA-funded schools (also see Section VII).

III. BIA/OIEP COORDINATED SERVICES MODEL

The proposed BIA Coordinated Services Plan (CSP) is modeled on the coordination of services at three levels: OIEP/National, Agency/Area Office, and LEA/Local. Based on the needs of Indian children as described in the previous section of this document, the model focuses on planning for a system best suited for meeting those needs. Thus, this model provides for the comprehensive coordination of services as appropriate at each level in order to provide for ensuring that appropriate mechanisms for coordination, both formal — e.g., Memoranda of Agreement/Understanding (MOAs/MOUs) — and other non-formal arrangements are considered at the level at which they can be most effectively implemented. These mechanisms for coordination may vary depending on coordinating agency and/or level at which coordination occurs.

As is noted in the Action Plan contained in the next Section of this document, the OIEP Coordinated Services Plan calls for establishment of a BIA Special Education Interagency Coordinating Council (SEICC) to guide in developing of appropriate strategies for coordination among Federal, Tribal, State and local entities at each of the three levels. The diagram below shows how these three levels are related.

BIA Special Education Interagency Coordinating Council			
- Identification of coordination of services strengths, challenges and systemic issues - Facilitation of CSP implementation - Training and technical assistance regarding coordination of services - Securing interagency agreements - Developing procedures and policies regarding coordination of services - Updating CSP activities relative to system needs		**Agency/ Area**	- Identify coordinating entities - Form Agency/Area Interagency Council (AIC) - Identify agency/area-wide coordination needs, challenges and strengths - Develop and implement a plan of action to include training, securing MOAs/MOUs, and streamlining provision of services
		LEA/ Local	- Identify coordinating entities - Form Local Interagency Team (LIT) - Identify local coordination needs, challenges and strengths - Develop and implement a plan of action to include training, securing MOAs/MOUs, and streamlining provision of services

The Table below shows those coordinating agencies and service providers that should be involved in the Coordinated Services Plan at each of the three levels. Ideally each partnering agency should be participating in the Coordinated Service Plan. [Note: Appendix A of this document contains an Inventory of Coordinating Agencies and Services Providers which currently work with BIA Special Education programs.] The implementation phase of the CSP will entail development of coordination and collaboration strategies between the appropriate BIA entities (at each level) and pertinent partners or services providers listed under each level in the Index below.

INDEX OF COORDINATED SERVICES PROVIDERS/PARTNERS

OIEP/National	Agency/Area Office	LEA/Local
Special Education Interagency rdinating Council (SEICC) agenci e Departments of Education al IHS providers (e.g., social servi tance abuse and mental health) ational Rehabilitation tutions of Higher Education y Childhood programs nt Centers an Education Organizations (NIS A, ACTS) r agencies and providers (MRCC onal labs, contracted mediators an ess hearing officers, etc.) ocacy organizations for specific bilities (e.g., International Dyslexi ciation)	e Interagency Coordinating Councils ational Rehabilitation e Institutions e Departments of Education y Childhood programs al programs (e.g., VR, Social Services, rcement, Mental Health, Employment ces) programs (e.g., Social Services, Menta lth nt Centers	dors (IDEA supplementary aids and ices) tutions of Higher Education lt providers ted Services Provider Agencies loyers al Voc. Rehabilitation y Childhood programs (Head Start, Enforcement/Courts r Tribal programs (e.g., Social Servi tal Health, Employment Offices) er Care ate Professionals ogate Parents sportation Providers pitals and other medical facilities tutions dential Providers r public and BIA schools ate schools or facilities ate pre-schools

Beginning in the next Section are the specific Action Steps to be undertaken by OIEP in implementation of a system-wide Coordinated Services Plan.

IV. OIEP-LEVEL COORDINATED SERVICES PLAN

The matrices beginning on the next page show OIEP's proposed action plan for implementation of the Coordinated Services Plan. The action plan contains specific steps for planning and provision of coordinated services with specific coordinating agencies and service providers. [Note: Section VI of this Coordinated Services Plan also provides guidance on suggested tasks to be integrated into interagency agreements for coordinating services between BIA schools and Head Start programs, and between BIA schools and Tribal or State vocational rehabilitation agencies.]

OIEP COORDINATED SERVICES ACTION PLAN

Goal: Implement Coordinated Services Plan (CSP) and formalize agreements with appropriate agencies.

Coordinating Entity	Actions/Strategies	Timelines	Resources	Evidence
BIA Special Education Interagency Coordinating Council (SEICC) · OIEP · DHHS/IHS · DOA/Administration for Children, Youth and Families · BIA Law Enforcement · BIA Social Services · USED/Vocational Rehabilitation/OSEP · BIA ABEC · Tribal Colleges	55. BIA and IHS will finalize the draft MOA. 56. Participation from potential members of the Federal Interagency Coordinating Council will be elicited to review the Coordinated Services Plan (CSP) and make recommendations for implementation. 57. A OIEP Special Education Interagency Coordinating Council (SEICC) will be formalized to oversee implementation of the CSP. 58. OIEP will conduct two meetings of the SEICC. 59. Disseminate SEICC planning model and provide training on model to Agency/Area and local levels	December 2002 July - December 2002 January 2003 January 2003 - June 2004 December 2002 - December 2003	OIEP/IHS staff OIEP staff OIEP staff OIEP, consult. OIEP, and/or consultants	Final MOA letters of invitation copies of CSP Agenda of meeting MOA or other agreement Agenda copies of CSP Website devel't
State Departments of Education	60. OIEP conduct meeting with pertinent State Special Education Offices to review the CSP and identify mechanisms and strategies for improved coordination of services. 61. State DoEds will identify 1-3 representative(s) to be members of the SEICC. 62. BIA/OIEP will enter into formal agreements with 23 States for coordination of services.	October 2002 October - December 2002 December 2002 - December 2003	OIEP, MPRRC State DoEds OIEP staff	Agenda of meeting Meeting report MOAs or other agreement

Coordinating Entity	Actions/Strategies	Timelines	Resources	Evidence
Tribal Vocational Rehabilitation Programs	63. OIEP meet with Council of State Administrators in Vocational Rehabilitation (CSAVR) re: dissemination of info to BIA schools. 64. Send directory of Tribal VR and State VR agencies to BIA schools and BIA Agency/Area Office Special Education personnel. 65. Conduct training to local BIA Spec. Ed. personnel, Guidance Counselors and Agency/Area Office SECs on VR services available and referral process. 66. Develop model strategies for local VR agency involvement in IEP development of transition age children. 67. Conduct cross-training on BIA Spec. Ed. requirements to Tribal and State VR personnel 68. Monitor coordination of services w/ VR programs	October 2002 August - October 2002 October 2002 - May 2003 October 2002 - May 2003 October 2002 - May 2003 December 2002 - May 2004	OIEP OIEP OIEP, VR reps OIEP, SECs, LEAs OIEP OIEP	Agenda of meeting VR Directory Training materials School Impr. Plans Training materials Monitoring reports
Early Childhood (EC) Programs · Indian Head Start · FACE · Tribal Day Care · Private Day Car · Spec. Ed. 0-5 program	6. OIEP conduct training to BIA Spec. Ed. personnel on model Early Childhood transition practices. 7. Develop local strategies for improving Early Childhood programs involvement in IEP development at specific schools 8. Conduct training to Spec. Ed. personnel on coord. strategies (who to involve, sample MOAs, etc.). 9. Monitor coordination of services w/ EC programs	December 2002 - May 2003 December 2002 - May 2003 December 2002 - December 2003 December 2002 - May 2004	OIEP, consultant OIEP, SECs, LEAs OIEP OIEP	Training materials School Impr. Plans Training materials Monitoring reports
IHS Health Services · Health care providers	4. OIEP send copies of BIA/IHS MOA to	January 2003	OIEP	final MOA

Coordinating Entity	Actions/Strategies	Timelines	Resources	Evidence
· Substance Abuse services · Mental Health services	regional and local IHS offices 5. Meet with regional and local IHS Directors to develop strategies for coordination of services with Area/Agency BIA Special Education Programs. 6. Conduct training to BIA Spec. Ed. personnel on IHS health services available and referral process. for coordination of services.	January - December 2003 January - May 2003	OIEP OIEP, consultants	Agenda of meeting Training materials
Parent Resource Centers (PRCs) · EPICS · Regional Parent Training & Information Centers (PTICs) · Technical Assistance Alliance for Parent Centers (TAAPC)	1. OIEP send to Agency/Area Office SECs directory of current Parent Resource Centers in states with BIA schools. 2. Conduct training to SECs (and parent/community members) on services and resources available from PRCs and how to access 3. Conduct training to BIA schools on improving parental involvement in IEP, transition services planning, and developing school/family partnerships 4. Conduct cross-training among PRCs on cultural sensitivity issues. 5. Monitor coordination with PRCs to ensure better Indian parent use of resources.	October 2002 October 2002 - January 2003 October 2002 - May 2003 October 2002 - May 2003 December 2002 - May 2004	OIEP OIEP, PRC reps (e.g., TAAPC) OIEP, Sp. Ed. consultants PRCs, BIA consultants OIEP	Directory of PRCs Training materials Training materials Training materials Monitoring reports
Tribal Education Departments	1. Conduct presentations and discussion forums to Tribal Education Departments and/or Tribal Councils	September 2002 - December 2002	OIEP	Agenda of meetings
National Indian Education Organizations	2. OIEP conduct presentations and discussion forums at annual meetings of NIEA, NISBA, ACTS to report on implementation of CSP and elicit ongoing	October 2002 - December 2003	OIEP, BIA consultants	Reports of meetings

Coordinating Entity	Actions/Strategies	Timelines	Resources	Evidence
	recommendations for improvement. 3. Update CSP to ensure ongoing improvements in coordination of services	September 2003	OIEP, BIA consultants	Updated CSP
Other current or potential Coordinating Agencies	4. OIEP conduct meeting of other Coordinating Agencies (e.g., IHEs, Reg. Labs, MPRRC, National Indian Ed orgs) to review the CSP and identify strategies for implementing coordination of services. 5. Conduct annual forums for current and potential Special Education Coordinating Agencies to monitor coordination process and plans.	January 2003 September 2002 - December 2003	OIEP, BIA consultants OIEP, BIA consultants	Agenda of meeting Other resources developed Agenda/Minutes of meetings

V. AGENCY/AREA OFFICE-LEVEL COORDINATED SERVICES PLAN

The matrices beginning on the next page show partners that could be included in a Coordinated Services Plan developed at the Agency/Area Office level. This sample action plan is meant as a template for BIA Agency/Area Office staff — especially Education Line Officers and Special Education Coordinators — to use in planning potential activities and strategies for coordinating services among entities at the tribal/intertribal, regional and state level (as identified in Appendix A – Inventory of Coordinating Agencies and Service Providers).

The template does not contain any specific steps for planning and provision of coordinated services with specific coordinating agencies and service providers. It is meant as a worksheet to use in identifying potential activities that may or may not be part of a formal interagency agreement. [Note: Appendix B contains several sample Memoranda of Understanding/Agreement developed by one BIA Agency[4] for coordinating services with various service providers. Also, if appropriate, refer to the guidance on suggested tasks to be integrated into interagency agreements for coordinating services between BIA schools and local Head Start programs, and between Tribal or State vocational rehabilitation agencies in Section VI.]

As noted in the OIEP Coordinated Services Action Plan, during the implementation phase, this template will be used by OIEP staff and OIEP consultants in conducting training with BIA Agency/Area Office-level staff in identifying potential coordinating partners and service providers and developing coordination strategies with those entities.

[4] Our thanks to the Cheyenne River Agency BIA Special Education Program and the Portland Area Office, BIA for making these sample MOUs/MOAs available

AGENCY/AREA OFFICE LEVEL - COORDINATED SERVICES ACTION PLAN

Coordinating Entities	Actions/Strategies	Timeline	Resources	Evidence
State Interagency Coordinating Councils (specify)				
BIA - Social Services, Other:				
IHS Area - Substance Abuse and Mental Health Services				
Contracted Mediators and Due Process Hearing Officers				
State Departments of Education (specify)				
Institutions of Higher Education (specify)				
VR Agencies (specify)				
Head Start Programs (specify)				
Law Enf./Courts (specify)				

Coordinating Entities	Actions/Strategies	Timeline	Resources	Evidence
Parent Centers				
State/Reg. Institutions				

VI. LEA-LEVEL COORDINATED SERVICES PLAN

The matrices beginning on the next page show partners that could be included in a Coordinated Services Plan developed at the local LEA-level. This sample action plan is meant as a template for BIA Schools to use in planning potential activities and strategies for coordinating services among entities at the tribal, intertribal and local levels (as identified in Appendix A – Inventory of Coordinating Agencies and Service Providers).

The template does not contain any specific steps for planning and provision of coordinated services with specific coordinating agencies and service providers. It is meant as a worksheet to use in identifying potential activities that may or may not be part of a formal interagency agreement.

Note that starting on page 26 is provided specific guidance on suggested goals and tasks to be integrated into interagency agreements for coordinating services between BIA schools and Head Start programs; and, on pages 32-33 are suggested tasks for integration into interagency agreements for coordinating services between BIA schools and Tribal or State vocational rehabilitation agencies.

These sample tasks are meant to be considered in developing interagency agreements for provision of transition systems, procedures and activities between these critical agencies and BIA schools.

LEA-LEVEL COORDINATED SERVICES ACTION PLAN

Coordinating Entities	Actions/Strategies	Timeline	Resources	Evidence
Head Start				
Vocational Rehabilitation (VR) Agencies				
Vendors [IDEA supplementary aids and services]				
Institutions of Higher Ed.				
Adult Providers				
Related Services Providers				
Employers				
Law Enforcement/Courts				
Other BIA/Tribal Programs				

Coordinating Entities	Actions/Strategies	Timeline	Resources	Evidence
Foster Care				
Private Professionals				
Transportation Providers				
Hospitals				
Institutions				
Residential Providers				
Other Public & BIA Schools				
Private Schools/Facilities				
Private Pre-Schools				

Coordinating Entities	Actions/Strategies	Timeline	Resources	Evidence

SAMPLE GOALS AND TASKS FOR

Coordinated Services Between Local Head Start Programs and LEAs

In coordinating services between Head Start and a BIA school, referred to as the Local Education Agency (LEA), it is the responsibility of the LEA to identify and evaluate Indian children who may have disabilities. The provision of a free and appropriate public education (FAPE) is required if a child is found by the LEA to be in need of special education and related services. Because the LEA is the agency which collects funds for each child eligible for special education and related services, it is responsible for ensuring that all services are provided; however, the LEA is not responsible for providing all services. IDEA stresses the role of multiple agencies and requires their maintenance of effort. Local Head Start programs should be fully committed to the maintenance of effort as required for all agencies by the IDEA and the Head Start Act; therefore, Head Start is responsible for ensuring that all services are provided; however, Head Start is not responsible for providing all services. Services may be provided by a combination of LEA and Head Start funds as well as other funds/resources. The following tasks are sample activities to be integrated into any interagency agreement developed between the local Head Start program and the LEA.

I. **Administration/Monitoring**

Goal: Head Start and the LEA will collaborate to ensure that the standards/guidelines of the OIEP continuous monitoring process are followed.

Tasks: The LEA will share with the local Head Start program OIEP policies and procedures regarding special education as part of the OIEP continuous monitoring process.

Local Head Start programs will share with the LEA information regarding state and USED Office of Special Education Programs (OSEP) regulations dealing with the administration of preschool programs and arrange for explanation to LEA personnel as necessary.

LEA and Head Start will commit to development of local interagency agreements and to review and revise agreements annually.

LEA and Head Start will coordinate and monitor, respectively, to assure referral, assessment, IEP, due process and transition procedures.

II. **Funding/Resource Sharing**.

Goal: Head Start and LEA will work together to assure that funds to provide special education and related services to young children with disabilities are received and expended according to the regulations and OIEP policies and procedures.

Tasks: The LEA will develop an unduplicated child count for children in special education services by December 1 of each school year. Tribal Head Start programs, funded to serve preschool children with disabilities, will assist in ensuring that Head Start children with disabilities are

included in the December 1 count, 40 day count, 100 day count, and any other counts agreed upon with OIEP and local Head Start programs.

Head Start will provide the LEA with daily attendance records for children in special education. In order to perform this task, both entities will work jointly to develop procedures and timelines for forwarding attendance records.

III. Child Find/Screening

Goal: The LEA and Head Start grantees will work together to locate and identify preschool-aged children with disabilities in need of special education and related services.

Tasks: The local Head Start program and respective LEAs will develop agreed upon timelines and procedures for coordinating Child Find activities. Procedures will specify all appropriate areas of screening and who has responsibility — e.g., Tribal Infant & Toddler program — for specific screening procedures. Screening must include vision, hearing, communication skills, cognitive development, motor skills, socioemotional development and adaptive skills.

As agreed upon, each respective agency will provide for screening of all enrolled preschool children, using appropriate health and developmental screening procedures.

IV. Referral

Goal: Head Start and the LEA will work together to develop a referral process that will ensure timely identification of children who may be in need of special education and related services.

Tasks: Head Start and the LEA will jointly develop, implement and document a referral process for children who may be in need of special education or related services based on screening results, parent report or medical information. The jointly developed referral process will include procedures and responsibility for obtaining parental consent.

The jointly developed referral process will identify contact persons at each agency and the tribe, and specify information that will be included with the referral (e.g., family history, screening results, teacher observation).

Head Start and the LEA will collaborate on development of joint referral forms, joint release of information forms and procedures for ensuring parental rights in the process.

Upon referral from Head Start, the LEA will process the referral as jointly agreed upon. Referral will be conducted in a timely manner according to federal guidelines to determine need for evaluation, and ensuring that all eligible children are included in the December 1 Child Count.

Head Start and the LEA shall identify an LEA contact person to handle Head Start referrals and develop a system to confirm that referrals were received and acted upon in accordance with federal and tribal guidelines.

V. Evaluation and Assessment

Goal: Head Start and LEAs will work together to assure that each child who is determined to need further assessment receives a full and individual evaluation in accordance with IDEA and Head Start performance standards.

Tasks: Both Head Start and the LEA will share information regarding special education eligibility criteria and Head Start eligibility and enrollment policies. Such information will be taken into consideration as both agencies develop joint procedures for conducting special education evaluations and identify respective responsibilities of each agency for the conduct of the evaluation. These procedures and respective responsibilities – including funding commitments – of each agency will be explicitly stated in the interagency agreement developed by the two agencies.

Both agencies will develop joint procedures to ensure that parental consent is obtained for evaluation, that parental participation occurs in the evaluation, and that parents receive procedural safeguards as well as prior written notice and information about the assessment.

Head Start and LEA personnel will participate in the conduct of assessment activities as specified in the interagency agreement and in accordance with federal guidelines and timelines. Head Start will provide and the LEA must consider all relevant screening/ assessment information and developmental history information provided by appropriate agencies and obtained with the written consent of parents.

Head Start and LEA personnel will notify each other of any and all evaluation appointments scheduled, including any involving consultants hired by Head Start. Head Start will ensure that any evaluation services conducted by consultants meet federal and local requirements and that they are acceptable to the LEA as part of the multidisciplinary evaluation. Head Start will assist families in attending all evaluation appointments.

The LEA and Head Start will assure that any and all assessments – conducted as jointly agreed upon in the interagency agreement – are linguistically appropriate and are administered in the primary language or mode of communication of the child being evaluated.

As specified in the interagency agreement, the agency (the LEA or Head Start) with responsibility for conducting the assessments will inform the family of the evaluated child of the assessment results, and, with parental consent, provide the results also to the other respective agency. Head Start will assist families in understanding the assessment results, and the child's eligibility for special education services in collaboration with the LEA.

As specified in the interagency agreement, the agency (the LEA or Head Start) with responsibility for conducting the assessments will review existing evaluation data, and with parental consent, determine a need for re-evaluation.

VI. Eligibility Determination

Goal: After the evaluation has been completed, Head Start and LEAs will work together to follow BIA procedures for determination of eligibility for special education and related services.

Tasks: As specified in the interagency agreement, the respective agency will provide training to appropriate LEA and Head Start staff and staff of delegate agencies regarding current BIA procedures for determining eligibility of Indian children with disabilities for special education and related services within the LEA.

The LEA will include Head Start in the eligibility team meetings when Head Start is a placement option. The LEA will assist Head Start in (a) including families – and anyone else the parents wishes to involve – in the team that determines eligibility, and (b) providing parents with a copies of the evaluation report and eligibility determination.

VII. Individualized Education Program (IEP)

Goal: After eligibility has been determined, Head Start and LEAs will work together to develop IEPs for eligible children for whom Head Start is a placement option.

Tasks: As specified in the interagency agreement, the LEA and Head Start will participate in the development of IEPs according to BIA guidelines, and, for children for whom Head Start is a placement option, according to tribal guidelines. Assure that parents receive information in their primary language and that they understand information being provided.

Ensure that IEP development and meetings occur according to procedures specified in the BIA eligibility document. For children planning to enroll in the LEA, the LEA must ensure that a Head Start staff person (ideally the child's Head Start teacher) receive written notification of all IEP meetings.

Specify in jointly developed IEPs any "special factors" needed for the child, and which services will be provided by either Head Start or the LEA, including the frequency and duration of services.

LEA and Head Start personnel will coordinate to assure that parents receive notice of all IEP meetings, copies of procedural safeguards and prior written notice.

VIII. **Placement/Enrollment**

Goal: The LEA and Head Start will work together to provide a placement for the eligible child in the least restrictive environment (LRE) and where all services as specified in the child's IEP will be provided.

Tasks: Include child's parents and Head Start staff in all placement decisions when Head Start is a placement option. Jointly consider any "special factors" when making the placement decision.

The LEA should coordinate with Head Start to ensure that any children placed in Head Start are included in Child Counts. When children are placed in both Head Start and an LEA program, both agencies will coordinate to assure communication among all of the child's teachers.

IX. **Service Delivery**

Goal: The Head Start grantee and LEA will work together to assure that children with disabilities and their families receive educational and related services identified in IEPs.

Tasks: As specified in the interagency agreement, ensure that all special education and related services as agreed to by each respective agency (Head Start or the LEA) are provided as specified in the child's IEP and according to BIA and/or tribal guidelines.

If and when either agency becomes aware that services which are specified as being a responsibility of the other agency are not being provided, notify the other agency in writing and collaborate to resolve any problems that may be occurring in provision of services. If problems cannot be resolved, notify the appropriate Tribal Department of the dispute.

The LEA and Head Start will take appropriate steps to ensure that personnel designated to provide special education and related services obtain the certification required according to BIA or other federal guidelines.

The LEA and Head Start will address language needs in the IEP for children who are limited English proficient.

Include interaction and consultation with the child's family and current teacher as part of the service delivery model so that activities necessary to implementation of the child's IEP can be carried over at home and in the classroom.

X. **Transition**

Goal: Head Start and the LEA will work together to plan transitions for children – into and out of the Head Start program – which support families and strive for a seamless service delivery model.

Tasks: Prior to a child's transition from Head Start to kindergarten, the LEA will review existing evaluation data to determine a need for re-evaluation of the child. With parental permission, the Head Start program will (a) provide relevant data to the LEA to assist it in making a determination on the need for re-evaluation, and (b) participate in the meeting to review data.

The LEA and Head Start will specify in the interagency agreement, procedures to ensure a smooth transition of children with disabilities and their families from early intervention programs into the LEAs preschool programs.

Whenever possible, the LEA and Head Start shall nclude receiving teachers and therapists as well as current teachers and therapists in the transition meeting.
Both agencies will coordinate to assure that parents receive prior written notice and copies of procedural safeguards for all re-evaluations, eligibility placement meetings, and IEP meetings during transition.

XI. Training and Technical Assistance

Goal: Head Start and the LEA will coordinate their opportunities for training and technical assistance for parents of children with disabilities and for all staff providing services to children with disabilities (including general education teachers).

Tasks: Head Start and the LEA will each designate a staff person to coordinate staff development and parent training opportunities provided by either OIEP or other agencies, including the Administration for Children and Families (AFC).

As special education related training is arranged by either agency, the designated staff person will notify the other agency to include its personnel and parents in relevant staff development activities.

Each agency will encourage and support the participation, as appropriate, of staff and parents from the partner agency in any special education related staff development and parent training opportunities.

SAMPLE TASKS FOR

Coordinated Services Between Vocational Rehabilitation Agencies and LEAs[5]

XII. **Individualized Educational Plan (IEP)**

Tasks: Beginning when students with disabilities are 14 years of age, LEAs should begin to get parental permission for sharing with VR agencies information on student's program and/or other concerns.

Local or Tribal VR agencies should be involved in the IEP meetings of transition age students with disabilities.

XIII. **Identification and Follow-up**

Tasks: Upon obtaining parental permission, the LEA should send a list of special education students (including students' home addresses and home phone numbers) to the VR agency so that VR staff can plan to and meet with the student at a convenient time – e.g., during their spring break.

LEAs should encourage transition age students to call their local VR agencies to introduce themselves to service providers. Allow for long distance calls if necessary.

XIV. **Transition Planning at Age 14**

Tasks: Have VR agencies do a presentation to transition age students with disabilities and/or their parents about the services VR agencies can provide. Referrals to VR agencies should be sent at the end of the student's junior year in high school. This will allow VR agencies to possibly meet with students during the summer.

Begin career exploration with classroom teachers or school counselors. VR agencies can provide students with information on both in-state and out-of-state trade schools, colleges and job training programs.

Ensure that students understand the importance of completing all high school requirements for graduation and that almost all employers require high school diplomas of job applicants.

XV. **Other Transition Planning**

Tasks: Begin teaching job readiness skills to all students, including students with disabilities. These skills include resume writing, interview skills, completing job applications, etc. Stress to

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[5] Our thanks to the Laguna Acoma Vocational Rehabilitation Program staff from whose recommendations these sample services are adapted.

students that a drug screening is often required by employers prior to offering a person a position.

Have students call local employers to find out whether they accept a "certificate of attendance" when a person is applying for a job – many employers do not. Ensure that students understand that a certificate is inadequate for many jobs, so that students will try to get a regular diploma. A certificate of attendance is offered to special education students who have not met the requirements of a regular diploma. Note that some students with disabilities such as mental retardation might not meet the requirements for a regular diploma.

XVI. Referrals to VR Agencies

Tasks: Schedule senior year IEP meetings at the beginning of the student's senior year. College bound students will need to begin getting college application, financial aid forms and other documentation completed as soon as possible during the fall. When providing referrals to VR agencies, LEAs should also provide VR agencies with information on possible recommendations for additional services needed by individual students with disabilities or concerns which a student may have. These concerns include ongoing issues that may pose a barrier to employment, such as mental health and/or court issues.

VII. RECOMMENDATIONS FOR FORMAL AND INFORMAL SPECIAL ED. COORDINATION

1. OIEP should establish a Task Force to address the development of instructional and intervention strategies to ensure that students in BIA-funded schools are not inappropriately referred to special education because of academic shortcomings not related to a disability. The Task Force should be composed of general and special education teachers, parents, BIA employees involved with the education of children with disabilities, OIEP staff and at least one member of the OIEP Special Education Advisory Board. It would be the objective of the Task Force to develop model instructional approaches and intervention strategies to be tested in selected BIA-funded schools.

2. OIEP should engage national Indian education organizations and the Council for Exceptional Children in support of full funding and availability of high quality early childhood intervention programs that focus on children who are at risk, such as Early Head Start, Head Start, Even Start, WIC, and other appropriate programs. This should reduce later and unnecessary placement of Indian students in special education.

3. OIEP should engage national Indian education organizations and the Council for Exceptional Children in support of full funding of IDEA in order to provide sufficient funds for (a) the hiring of clerical support staff to assist in special education record keeping functions, and in data collection and information sharing; and (b) the purchase and maintenance of appropriate hardware and software for IEP case management and other special education record keeping functions. This is an inexpensive way to address the problem of the shortage of special eduation as well as assisting in the improvement of IEP case management.

4. OIEP should establish agreements with the Department of Education, as well as other federal agencies such as the Department of Labor, to collect data on students' attainment of postsecondary employment and education in order to ensure greater accountability for post-school results as articulated in the purposes section of IDEA. Establishing such agreement would be critical to transition planning for special education students.

5. OIEP should engage national Indian education organizations and the Council for Exceptional Children in support of increased funding for the provision of appropriate research, preparation of American Indian personnel (especially Indian special education teachers), technical assistance, and other supports and services to institutions of higher education (especially Tribal Colleges and Universities), BIA educational personnel and parents to facilitate implementation of the current IDEA discipline policy.

6. OIEP should encourage interagency agreements – at the Agency/Area Office and LEA levels- among agencies with authority over the direction and expenditure of federal, state and tribal funds under IDEA, ESEA, Juvenile Justice and other relevant authorities, to ensure continued alternative education services or coordinated services for Indian children with disabilities.

APPENDIX A

INVENTORY OF COORDINATING AGENCIES AND SERVICE PROVIDERS

APPENDIX A:
INVENTORY OF COORDINATING AGENCIES AND SERVICE PROVIDERS

This inventory lists agencies and service providers with whom BIA Special Education programs – at the OIEP/National, Area/Agency and LEA levels – are currently coordinating or could coordinate. The inventory was compiled based on a survey of Field Education Specialists and Special Education Coordinators conducted in February 2002, with further input from participants of the March 8, 2002 Special Education Focus Group convened by the Center for School Improvement in Albuquerque, NM.

This index is meant to represent a comprehensive listing of national (including federal, other public and non-profit entities), state, regional and tribal agencies with which the various BIA special education programs in 26 states have partnership relationships. If any BIA office (local LEA, agency/area, or national) has an active Memorandum of Agreement/Understanding (MOA/MOU), that fact is noted.

NATIONAL LEVEL PARTNERSHIPS

Federal/National Interagency Collaborations

- Indian Health Service (HHS) and BIA Memorandum of Agreement
- Social Security Administration & Disability Programs [potential]
- Bureau of Indian Affairs (DOI) Social Services Programs [potential]
- Office of Vocational Rehabilitation Programs (USED) [potential]

National Special Education Advocacy Organizations/Associations

- BIA Advisory Board for Exceptional Children
- Association of University Centers on Disability (AUCD)
- National Indian Child Welfare Association
- National Association of State Directors of Special Education
- National Center for Educational Outcomes
- Center for Performance Assessment
- Council for Exceptional Children
- Technical Assistance Alliance for Parent Centers

Regional Agencies

- Mountain Plains Regional Resource Center
- Northwest Regional Educational Laboratory
- North Central Regional Educational Laboratory
- Appalachian Educational Laboratory

National Professional Organizations

- LDA
- American Speech and Hearing Association
- New Mexico Speech and Hearing Associ8ation
- CEC
- Association for Supervision and Curriculum Development (ASCD)
- IRA
- Special Education Law Institute
- National Indian Education Association
- National Association of School Psychologists
- National Head Start Directors Association
- National Congress of American Indians
- American Indian Science and Engineering Association
- National Indian School Board Association

AREA/AGENCY LEVEL PARTNERSHIPS

State Interagency Collaborative Groups

- SD Interagency Coordinating Connection
- SD Task Force for Juvenile Justice
- OK State Child Protection Team
- Idaho Infant and Toddler Council
- Idaho Stakeholders for developing transition policy and procedures
- Northwest Consortium of Schools (NM)
- State Transition Cadre
- NM Transition Coordinating Council
- NM Early Childhood Coordinating Council

State Departments of Education

- Arizona Department of Education
- Florida Department of Education
- Idaho Department of Education (ID/BIA Memorandum of Agreement)
- Louisiana Department of Education
- Maine Department of Education
- Minnesota Department of Children, Families and Learning
- Mississippi Department of Education
- Montana Office of Public Instruction
- New Mexico Department of Education - NM/BIA data collection Memorandum of Agreement for transition information
- North Carolina Department of Public Instruction
- North Dakota Department of Education
- Oregon Department of Education
- South Dakota Department of Education
- Virginia Department of Education

- Wyoming Department of Education
- Washington Department of Education

Other State Agencies

- [State Offices of] Social Security Administration & Disability Programs
- Social Services
- State Offices for Vocational Rehabilitation
- SD Indian Child Welfare Program
- SD Medical Lending Library
- AZ Department of Economic Security
- NM Income Support Division - Developmentally Disabled Department
- NM Department of Children, Youth, and Families (Medicaid)
- NM Department of Health
- New Mexico School for the Deaf
- New Mexico School for the Visually Impaired
- AZ School for Deaf & Blind

Parent Organizations

- PACER - Parent Advocacy Children Education Rights
- EPICS - Educating Parents of Indian Children with Special Needs
- PRO - Parents Reaching Out
- PBDC - Parents of Behaviorally Difficult Children
- PEAK
- Native American Pueblo Parent Resources (0-2 program)
- NAFT - Native American Families Together (National Parent Training Center, ID)
- PAT - Parents as Teachers

Institutions of Higher Education and Affiliated Institutes/Programs

- Concordia University, St. Paul
- University of Arizona
  - ICP
- University of Idaho
  - Center on Disabilities – MOA/MOU with BIA Special Education
- University of New Mexico (training and direct services)
  - Dept. of Psychiatry and Children's Psychiatric Hospital
  - Center for Development and Disability
  - Carrie Tingley Hospital
- Oglala Lakota College
- Texas Tech University (deaf and blind)
- Front Ridge Community College (Deaf Interpreter Program)
- University of Colorado
- Montana State University

- Chief Dull Knife College
- Diné College
- Arizona State University
- New Mexico State University (bilingual and minority education programs)
- Utah State University (Center for Persons with Disability)
- Northern Arizona University (Institute for Human Development)
- Indian Children's Program Consortium (UNM, USU and NAU)
- Western Carolina University
- George Washington University - National Center for Comprehensive School Reform
- University of Oklahoma at Norman - American Indian Institute

State Indian Education Associations

- Washington Indian Education Association
- Montana Indian Education Associ8ation
- Wyoming Indian Education Association

LEA/LOCAL LEVEL PARTNERSHIPS

Tribal or Intertribal Interagency Collaborative Groups

- Navajo Country - Special Services Consortium
- Oglala Sioux Tribal Council Education Committee
- Oglala Nation Education Coalition
- Three Affiliated Tribes Childrens Council
- Pueblo Interagency Coordinating Council
- SD Restoring the Balance
- SD Child Protection Teams
- [NM] Coalition for Educating Native American Children (CENAC)
- Navajo ICC (covers tri-state area)
- Idaho Tribal Council
- Affiliated Tribes of Northwest Indians

Tribal Programs

- Native American Vocational Rehabilitation Programs (see attached list)
- Tribal Head Start Programs (see attached list)
- Cheyenne River Daycare Program
- Cherokee Nation Mental Health
- Early Childhood Programs
- Apache Behavioral Health Center
- Navajo Nation NCA
- Navajo Nation Rural Systemic Initiative
- Hopi Head Start
- Tribal Education Offices
- Cheyenne River Developmental Clinic - MOU/MOA with Agency SEC

Agency-level BIA/IHS Programs

- BIA Social Services
- IHS Programs
- BIA Mental Health
- Boarding Schools
- BIA Law Enforcement

Health/Wellness Centers and Institutions

- Cheyenne River Developmental Clinic
- Restoring the Balance
- Sacred Heart Girls, Boys and Adolescent Shelters
- Four Bands Drug and Alcohol Program
- Three Rivers Counseling Program
- Local YMCAs
- Hospital Outreach (OT & PT)
- Children's Care School and Hospital
- Woodard and Associates (therapeutic counseling)
- Regional Behavioral Health Authority
- Navajo Nation Behavioral Health Department
- Residential Treatment facilities (AZ, NM, UT, CO)
- Residential Facilities: Children's Home Society, McCrossan Boy's Ranch, and Southeast Behavioral
  Center, Lutheran Social Service Facilities (SD)
- Casey Family Program: Children's Home and John F. Taylor Parent and Family Training

Law Enforcement and Corrections Agencies

- Cheyenne River Tribal Juvenile Detention Center
- Tribal Juvenile Courts
- Navajo Nation Tribal Court System: Judicial Court, Peace Making Court, Juvenile Court, and Prosecutor's Office
- Police Departments (Tribal and BIA)
- Walter Miner Law Enforcement Center

Legal Services

- Dakota Plains Legal Services
- Native American Protection and Advocacy Program (NAPAP)
- DNA - Peoples Legal Services, Inc.

Public Schools/Districts/Parochial and Charter Schools

- Bemidji Regional Inter-district Council (MN)
- Albuquerque Public Schools (NM)

- Grants Public Schools (NM)
- Eagle Butte, Dupree, Timber Lake and Isabel Public Schools (SD)
- Wingate High Schools - vocational program (NM)
- Bloomfield Public Schools (NM)

Special Education and Related Services Cooperatives, etc.

- Brown County Special Education Cooperative (KS)
- Educational Assessment Systems, Inc
- Individually contracted school psychologists

Other Specific Local Youth Programs

- Gang Resistance Education and Training (GREAT)
- Drug Awareness Resistance Education (DARE)
- Youth Opportunity Program ("I CARE" products and services)

Tribal Vocational Rehabilitation Programs

There are currently 67 Tribal or Intertribal entities receiving USED funds for establishing .Native American Vocational Rehabilitation Programs. The following 32 programs are located in communities where there are BIA schools, and, thus, are programs with which local Special Education programs are or should be coordinating.

1. Navajo Nation (AZ, CO, NM, UT)
2. Tohono O'odham Nation (AZ)
3. White Mountain Apache (AZ)
4. Coeur d'Alene Tribe (ID)
5. Nez Perce Tribe (ID)
6. Shoshone Bannock Tribes (ID)
7. Hannahville Indian Community (MI)
8. Red Lake Band of Chippewa Indians (MN)
9. White Earth Reservation Tribal Council (MN)
10. Mississippi Band of Choctaw (MS)
11. Blackfeet Tribal Business Council (MT)
12. Confederated Salish and Kootenai Tribes (MT)
13. Pueblo of Jemez (NM)
14. Pueblo of Laguna (NM)
15. Spirit Lake Nation (ND)
16. Standing Rock Sioux Tribe (ND/SD)
17. Three Affiliated Tribes (ND)
18. Turtle Mountain Band of Chippewa (ND)
19. Cherokee Nation of Oklahoma (OK)
20. Chickasaw Nation (OK)
21. Choctaw Nation (OK)
22. Cheyenne River Sioux Tribe (SD) - MOU/MOA with BIA Special Education
23. Lower Brule Sioux Tribe (SD)
24. Oglala Sioux Nation (SD)
25. Colville Confederated Tribes (WA)
26. Lummi Nation (WA)
27. South Puget Intertribal Planning Agency (WA)
28. Stillaquamish Tribe of Indians (WA)
29. Great Lakes Intertribal Council (WI)
30. Lac Courtes Oreilles Indian Tribe (WI)
31. Oneida Tribe of Indians of Wisconsin (WI)
32. Eastern Shoshone Tribe (WY)

Tribal Head Start Programs

There are currently 153 Tribal or Intertribal entities receiving U.S. Deparment of Health and Human Services funds for operating .Native American Head Start Programs. The following 54 programs are locate in communities where there are BIA schools, and, thus, are programs with which local Special Education programs are or should be coordinating.

49. Navajo Nation Head Start (AZ, CO, NM, UT)
50. Hopi Tribal Head Start (AZ)
51. Tohono O'odham Nation (AZ)
52. White Mountain Apache (AZ)
53. Chinle Agency (AZ)
54. Fort Defiance Agency (AZ)
55. Gila River Head Start and Disabilities Program (AZ)
56. Havasupi Head Start (AZ)
57. Salt River Pima Maricpa Indian Community (AZ)
58. Miccosukee Head Start (FL)
59. Coeur d'Alene Tribal Head Start (ID)
60. Shoshone Bannock Tribes (ID)
61. Kickapoo Tribe of Kansas (KS)
62. Passamaquoddy Maine Indian Education (ME)
63. Sault Ste. Marie Tribe of Chippewa Indians (MI)
64. Fond du Lac Reservation Business Committee (MN)
65. Leech Lake Head Start (MN)
66. White Earth Reservation Tribal Council (MN)
67. Mississippi Band of Choctaw (MS)
68. Blackfeet Tribal Business Council (MT)
69. Confederated Salish and Kootenai Tribes (MT)
70. Northern Cheyenne Head Start Program (MT)
71. Eastern Band of Cherokee Indians (NC)
72. Little Hoop Head Start (ND)
73. Three Affiliated Tribes (ND)
74. Turtle Mountain Chippewa Head Start (ND)
75. Alamo Navajo School Board (NM)
76. Crownpoint Agency (Eastern) (NM)
77. Five Sandoval Indian Pueblos Inc. (NM)
78. Pueblo of Jemez (NM)
79. Eight Northern Indian Pueblo Council, Inc. Head Start Programs (NM)
80. Jicarilla Apache Tribe (NM)
81. Mescalero Apache Tribe (NM)
82. Pueblo of Acoma (NM)
83. Pueblo of Isleta (NM)
84. Pueblo of Laguna (NM)
85. Ramah Navajo Head Start (NM)
86. San Felipe Pueblo, Inc. (NM)
87. Shiprock Agency (NM)

88. Taos Pueblo (NM)
89. Spirit Lake Nation (ND)
90. Standing Rock Sioux Tribe (ND/SD)
91. Three Affiliated Tribes Head Start Programs (ND)
92. Turtle Mountain Band of Chippewa (ND)
93. Chickasaw Nation Head Start (OK)
94. Choctaw Nation of Oklahoma (OK)
95. Cheyenne River Sioux Tribal Head Start Program (SD) – MOU/MOA with BIA Spec. Ed.
96. Lower Brule Sioux Tribe (SD)
97. Oglala Sioux Nation (SD)
98. Rosebud Sioux Tribe (SD)
99. Lummi Indian Business Council (WA)
100. Lac Courtes Oreilles Head Start (WI)
101. Oneida Tribe of Indians of Wisconsin (WI)
102. Shoshone and Arapahoe Tribes (WY)

APPENDIX B

SAMPLE MOUs/MOAs
FOR
COORDINATED SERVICES

MEMORANDUM OF UNDERSTANDING
BETWEEN
OUN' IYEKIYAPI (Finds Their Place)
VOCATIONAL REHABILITATION SERVICES
AND
CHEYENNE RIVER AGENCY BUREAU OF INDIAN AFFAIRS
SPECIAL EDUCATION PROGRAM

PURPOSE:

This Memorandum of Understanding is implemented for the purpose of enhancing the delivery of vocational rehabilitation services to American Indian youth who reside on the Cheyenne River Sioux Tribe's reservation and are eligible for Cheyenne River Agency Special Education and vocational rehabilitation services to build a functional bridge that will span the gulf between the often limited opportunities for youth with disabilities by defining the working relationship between the OVRS and the local Special Education program. Improvements in special education and community-based VR services have unlocked new possibilities for youth with special disabilities.

In addition, this Memorandum of Understanding will address how the Special Education program and OVRS will cooperate or work together to more effectively and efficiently provide rehabilitation services, according to Section 103 of the 1998 Rehabilitation Act Amendments, to American Indian youth who need and have a desire to prepare for and secure employment.

Definitions:

The following definitions will apply in this Memorandum of Understanding:

103. "Oun' iyekiyapi Vocational Rehabilitation Services" (OVRS) means Cheyenne River Sioux Tribe Vocational Rehabilitation Project. (Oun' iyekiyapi translates as "to make their place." There are no exact words for "disabled or handicapped" in the Lakota language.)

104. Special Education means any of the Bureau of Indian Affairs related schools on the Cheyenne River reservation including the Grant Schools.

105. "Section 121 Project" means a discretionary grant authorized to governing bodies of Indian Tribes for the provision of vocational rehabilitation services for American Indians with disabilities residing on or near reservations.

106. "American Indian" means a person who is an enrolled/certified member of an Indian Tribe.

107. "DTU," Designated Tribal Unit, means an agency of an Indian Tribe that has the sole responsibility, under the authorization of the Rehabilitation Act Amendments of 1998, Part C, Section 121, to conduct a vocational rehabilitation project within the locality under the administration of a Tribal entity.

108. "IPE" means Individual Plan for Employment.

109. "IEP" means Individual Education Plan.

Legal Basis:

- IDEA 97 is the Individual with Disabilities Education Act, amended in 1997. (Formerly, PL 94-142) that provides guidance over Special Education.
- OVRS provides vocational rehabilitation services to eligible students with disabilities in accordance with 34 CFR Part 300.29.
- Section 121 of the Rehabilitation Act Amendments of 1998 authorizes discretionary grants to governing bodies of Indian Tribes located on Federal reservations for the provision of vocational rehabilitation services for American Indians with disabilities residing on such reservations.
- The Rehabilitation Act Amendments of 1998 states that vocational rehabilitation services must be provided to American Indians with disabilities to the same extent that these services are provided to other significant groups of the disabled population.

Agreement:

In order to ensure comparable, culturally relevant VR services, Special Education and OVRS agree to the following:

1. The Special Education policy and procedural manuals will apply to services provided by Special Education.

2. OVRS policies, procedures, and practices will apply to services provided by OVRS.

3. Special Education and OVRS will meet periodically to discuss pertinent issues.

4. Special Education will offer OVRS staff members the opportunity to participate in relevant Special Education in-service training.

5. OVRS will offer Special Education the opportunity to experience VR training and consultation to enhance VR Services for eligible youth.

In order to establish a description of how VR services will be provided to individuals served concurrently by Special Education and OVRS:

6. Case services provided by Special Education will be paid for using the Special Education payment system.

7. Case services provided by OVRS will be paid for using the method approved by the Cheyenne River Sioux Tribe.

8. The Special Education Teacher in each school who is responsible for transition services will act as a liaison with OVRS.

9. An OVRS team member will be designated to interact with Special Education on behalf of eligible youth who desire vocational rehabilitation services.

10. Each agency reserves the right to independently determine eligibility, scope of IEP/IPE and criteria for case closure.

11. OVRS will accept primary responsibility for case management and the provision of rehabilitation services for consumers/eligible students attending any of the Cheyenne River schools. It is further understood that Special Education is intended to be the primary service provider.

12. The designated Special Education staff person and the VR Counselor will consult with one another on a regular basis to avoid duplication and assure continuity of services.

DURATION OF AGREEMENT:

This Memorandum of Understanding will be effective from the date of signing for an indefinite period of time. It will be reviewed and updated annually if necessary.

Either party may terminate this agreement within sixty (60) days with written notification to the other party.

Entered into this _____ day of _____, 2001

_____	_____
Cheyenne River Tribal Chairman	Date
_____	_____
CRA School Education Line Officer	Date
_____	_____
Special Education Director	Date
_____	_____
Oun' iyekiyapi VR Services Project Director	Date

MEMORANDUM

To: Special Education Coordinator
Bureau of Indian Affairs, Office of Education

From: Director
Idaho Center on Developmental Disabilities

Date: October 13, 1993

Subject: Memorandum of Agreement between Bureau of Indian Affairs Office of Indian Education Programs and the Idaho Center on Developmental Disabilities

The purpose of this memorandum is to specify the various areas of cooperation our two staffs have agreed upon. The overall purpose of each cooperative activity is to address the needs of Indian children or adults with disabilities and their families in north Idaho with the possibility of expansion throughout the Northwest. We agree to do each of the following:

Joint Commitments:

I. Jointly offer course work to increase the skills of teachers who serve Indian children, including tribal schools and public schools which serve significant numbers of Indian children, e.g., courses for special education aides, team building, assistive technology.

II. Jointly seek funding for educational programs that will serve the educational and health needs of Indian children, e.g., field-based health clinics, alternative long-distance educational service delivery and various pilot projects.

ICDD Commitments:

I. Provide information to broaden the resource center component of the Northern Idaho Educational Field Office, e.g., access to ICDD professional literature, technical assistance in development of in-service course work, assistance in obtaining other University of Idaho resources such as IMB and IMS.

II. Provide affiliate ICDD staff appointment to Portland Area Special Education Staff.

III. Provide ICDD clinic in coordination with Indian Health.

BIA Commitments:

I. Provide data regarding the needs of Indian children and their families.

II. Provide information on a regular basis regarding funding opportunities.

III. Work in cooperation with the ICDD to address the needs of three to five-year-old children with disabilities in tribal schools.

IV. Work in cooperation with the ICDD to establish training experiences for ICDD trainees to increase their skills in working with Indian people with disabilities.

V. Work in cooperation with the ICDD to recruit competent members of Northwest tribes to enter training programs in the disability service disciplines.

Director
Idaho Center on Developmental Disabilities

Education Program Administrator
Bureau of Indian Affairs, Portland Area Office

U.S. Department of Education
Office of Educational Research and Improvement (OERI)
National Library of Education (NLE)
Educational Resources Information Center (ERIC)

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